

# Archivist Asks For Access to Kissinger Data

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Exerting what he said are "legal responsibilities" as archivist of the United States, Dr. James B. Rhoads has asked for access to Secretary of State Henry A. Kissinger's extensive telephone records to determine whether they are personal or official documents.

Rhoads said he has made the request in writing to Kissinger "to enlist his cooperation in permitting qualified archivists from my staff to examine these materials."

Asked what he will do if Kissinger refuses, Rhoads said, "We'll cross that bridge when we come to it."

Kissinger has claimed that the secretarial notes and transcriptions of his telephone conversations while in high office at the White House and State Department are his personal property, citing a legal opinion he obtained from State Department legal adviser Monroe Leigh.

After controversy arose, Kissinger shipped nine file drawers of the telephone papers to the Library of Congress from a storage area at the Rockefeller estate at Pocantico Hills, N.Y.

Kissinger planned to leave no copies of the telephone records in government files. Under his agreement with the Library of Congress, Kissinger or persons named by him will control access to the papers for 25 years or five years after his death, whichever is later.

A Nov. 15 bulletin of the National Archives cited a much more restrictive definition of personal papers than that cited by Kissinger in claiming the telephone documents as his property.

Rhoads said yesterday this bulletin was based on the statutory authority of the General Services Administration—of which the Archives is a part—to promulgate standards and guidance for government records.